

EXHIBIT B

November 2, 2022

1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

XIAMIN ZENG,

Plaintiff,

-against-

THE CITY OF NEW YORK, DETECTIVE DANIELLE FEBUS &
(RANK FY2000), INSPECTOR JOHN CHELL, DETECTIVE
GARY DEN ZZO (RANK FY2000), SERGEANT GEORGE
TAVARES, (#5354), POLICE OFFICER IRWIN LUPERON
(SHIELD NO. 27763), POLICE OFFICER ERLENE
WILTSHIRE, (SHIELD #24340, AND POLICE OFFICER,
CHRISTOPHER ROBLEY (#23263), IN BOTH THEIR
INDIVIDUAL PROFESSIONAL CAPACITIES,

Defendants.

-----X

VIA ZOOM VIDEO

November 2, 2022

11:05 a.m.



[Page 2]
November 2, 2022

2

VIDEO EXAMINATION BEFORE TRIAL OF DETECTIVE
DANIELLE FEBUS, in the above-entitled action,
held at the above time and place, taken before
Karen McConnell, a Notary Public of the State of
New York, pursuant to Notice and video
stipulations between Counsel.

[Page 3]
November 2, 2022

3

APPEARANCES:

SIM & DEPAOLA, LLP

Attorneys for Plaintiff

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Queens, New York 11361

BY: ATATUR RAQUIB, ESQUIRE

CORPORATION COUNSEL CITY OF NEW YORK

Attorneys for Defendants

DETECTIVE DANIELLE FEBUS &

OFFICER ERLINE WILTSHIRE

100 Church Street

New York, New York 10007

BY: JEFFREY FRANK, ESQUIRE

November 2, 2022

4

(1)

(2)

(3) IT IS HEREBY STIPULATED AND AGREED

(4) by and between counsel for all parties present

(5) that Pursuant to CPLR Section 3113 (d) this

(6) deposition is being conducted by videoconference,

(7) that the court reporter, all counsel, and the

(8) witness are all in separate remote locations and

(9) participating vis videoconference (LegalView/Zoom)

(10) meeting under the control of Lexitas Court

(11) Reporting Service, that the officer administering

(12) the oath to the witness need not be in the place

(13) of the deposition and the witness shall be sworn

(14) in remotely by the court reporter after confirming

(15) the witnesses identity, that this videoconference

(16) will not be recorded in any manner and that any

(17) recording without the express written consent of

(18) all parties shall be considered unauthorized, in

(19) violation of law, and shall not be used for any

(20) purpose in this litigation or otherwise.

(21)

(22) IT IS FURTHER STIPULATED that

(23) exhibits may be marked by the attorney presenting

(24) the exhibit to the witness, and that a copy of any

(25) exhibit presented to a witness shall be emailed to

5

(1) or otherwise in possession of all counsel prior to
(2) any questioning of a witness regarding the exhibit
(3) in question. All parties shall bear their own
(4) costs in the conduct of this deposition by
(5) videoconference, notwithstanding the obligation
(6) by CPLR to supply a copy of the transcript to the
(7) deposed party by taking part in civil litigation
(8) matters.
(9)

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[Page 6]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 6
(2) D E T E C T I V E D A N I E L L E F E B U S ,
(3) having first been duly sworn by a Notary Public of
(4) the State of New York, was examined and testified
(5) as follows:

(6) **EXAMINATION CONDUCTED BY MR. RAQUIB:**

(7) Q Please state your name for the
(8) record.

(9) A **Detective Danielle Febus.**

(10) Q What is your address?

(11) A **1 Police Plaza, New York, New York**
(12) **10007.**

(13) Q Good morning, Detective Febus.

(14) A **Good morning.**

(15) Q I am an attorney with Sim & Depaola
(16) and I represent the Plaintiff, Xiamin Zeng, in
(17) this matter regarding her arrest on January 31st
(18) of 2018. I will be asking you a few questions
(19) about that arrest. Before we begin, I have a few
(20) ground rules for you to follow during the course
(21) of this deposition so that the court reporter can
(22) record my questions and your testimony in a clear
(23) and efficient manner. First, please wait for me
(24) to finish any question that I ask before you
(25) respond even if you can predict what I am about

[Page 7]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 7
(2) to ask, okay?
(3) A Yes.
(4) Q Next, please try to keep you answers
(5) verbal and no nods of the head, gestures or you
(6) um-hums, because the court reporter cannot record
(7) that, okay?
(8) A Yes.
(9) Q If you need a break that is fine
(10) with me. I ask that you do not do so if there is
(11) a question pending on the record. Just answer
(12) the question if there is one pending and we can
(13) take a break after that, okay?
(14) A Yes.
(15) Q Can you see and hear us?
(16) A Yes.
(17) Q Let's wait a few seconds for your
(18) video to stabilize.
(19) A Okay.
(20) Q Can you still hear us and see us?
(21) A Yes.
(22) Q Okay. Give it a few more seconds.
(23) MR. FRANK: Off the record.
(24) (Whereupon, a discussion was held
(25) off the record.)

[Page 8]
November 2, 2022

(1) **DETECTIVE DANIELLE FEBUS** 8

(2) Q You can hear me now?

(3) A Yes.

(4) Q All right. I'm going to ask that

(5) you try to testify based on your independent

(6) recollection of the events if you can. If you

(7) cannot recall, please say that you cannot recall

(8) or do not know, okay?

(9) A Yes.

(10) Q Also, if you cannot recall something

(11) but you think like a material, document or

(12) whatever that might refresh your recollection you

(13) can let me or your attorney know and if we have

(14) that document or material and we will be happy to

(15) provide it to you virtually, okay?

(16) A Yes.

(17) Q Please state your name for the

(18) record.

(19) A Detective Danielle Febus.

(20) Q Shield number?

(21) A 4581.

(22) Q In preparation for this deposition,

(23) did you review any documents, videos or

(24) photographs?

(25) A I reviewed my case.

(1) **DETECTIVE DANIELLE FEBUS** 9

(2) Q Your case, are those notes or

(3) specific like arrest documents?

(4) A No, it is my case notes for the case

(5) that I received that day.

(6) Q Did you prepare any handwritten

(7) notes?

(8) A For today?

(9) Q Yes.

(10) A No.

(11) Q Is there any reason that you cannot

(12) testify truthfully and accurately today?

(13) A No.

(14) Q Have you taken any medications that

(15) could affect your ability to testify today?

(16) A No.

(17) Q Are there any medications which you

(18) are prescribed that you did not take which might

(19) affect your ability to testify here today?

(20) A No.

(21) Q Are you prescribed glasses?

(22) A Yes.

(23) Q What is your prescription?

(24) A I don't understand the question.

(25) What do you mean?

(1) **DETECTIVE DANIELLE FEBUS** 10

(2) Q What is the strength of your

(3) glasses?

(4) A The majority are for reading.

(5) Q Okay.

(6) A And when I am looking at the

(7) computer it gets a little blurry sometimes.

(8) Q You can see things far away, but you

(9) just need those glasses to read; is that correct?

(10) A Yes.

(11) Q When did you start using reading

(12) glasses?

(13) A Maybe about a year or two ago.

(14) Q Have you ever been convicted of a

(15) crime?

(16) A No.

(17) Q How long have you been employed by

(18) the New York City Police Department?

(19) A Twenty-two and a half years.

(20) Q When did you join the NYPD Academy?

(21) A March 1st of 2000.

(22) Q After you graduated the academy,

(23) what was your first assignment?

(24) A The 84th Precinct in Brooklyn.

(25) Q Were you assigned on some sort of

(1) DETECTIVE DANIELLE FEBUS 11

(2) foot patrol?

(3) A Yes.

(4) Q About how long did you hold that

(5) assignment for?

(6) A I was in the 84th Precinct for eight

(7) years.

(8) Q In those eight years, did you

(9) receive any promotions?

(10) A No.

(11) Q So you are a police officer for all

(12) the eight years at the 84th Precinct?

(13) A Correct.

(14) Q After the 84th Precinct, what was

(15) your next assignment?

(16) A I went to Bronx Special Victims.

(17) Q Did you apply for that?

(18) A Yes.

(19) Q Did you join as a police officer or

(20) did you join as a detective?

(21) A No, you go in as a police officer.

(22) Q So you worked within the Bronx

(23) Special Victims as a police officer for sometime

(24) and gained some experience, and then you were

(25) promoted to detective?

[Page 12]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 12

(2) **A Correct.**

(3) Q How long did you hold the assignment

(4) at Bronx Special Victims?

(5) **A Three-and-a-half years.**

(6) Q Where did you go next?

(7) **A Queens Child Abusu Squad.**

(8) Q Queens Child Abuse Squad, is that

(9) where you work currently?

(10) **A No, sir.**

(11) Q How long were you assigned to Queens

(12) Child Abuse?

(13) **A Ten years.**

(14) Q Where are you currently assigned?

(15) **A Queens Special Victims.**

(16) Q Queens Special Victims Squad?

(17) **A Yes.**

(18) Q How long have you been there?

(19) **A Two years.**

(20) Q Are you a detective grade three or

(21) grade two?

(22) **A I am a grade two.**

(23) Q Which assignment did you become

(24) detective grade two?

(25) **A I was here with Special Victims.**

(1) **DETECTIVE DANIELLE FEBUS** 13

(2) Q How did that promotion come about,
(3) did you apply, take an exam or something else?

(4) A Supervisor puts you in.

(5) Q I am going to go back to Bronx
(6) Special Victims. Before you were at Bronx
(7) Special Victims you were at the 84th, how did
(8) your duties change from the 84th Precinct to when
(9) you joined Bronx Special Victims?

(10) A Okay. How did my duties change? I
(11) became an investigator in Special Victims Unit.

(12) Q Did you undergo any training or
(13) anything like that?

(14) A I have been trained, yes.

(15) Q What kind of training did you
(16) receive?

(17) MR. FRANK: Objection. You can
(18) answer.

(19) A We have a Special Victims course, we
(20) have a Criminal Investigation Course that we
(21) take, I have interview training to interview
(22) training of all ages including children with
(23) special needs, I have FETI interview, which is
(24) for forensic. I am drawing a blank. Training
(25) interviews. I apologize.

(1) **DETECTIVE DANIELLE FEBUS** 14

(2) Q I think I know what you are talking
(3) about. Is that training so you know how to
(4) handle child victims and to question them in a
(5) manner that is unbiased, or something like that?

(6) A Yes, non-suggestive. It is for
(7) adolescents and adult and forensic interview
(8) training for children. I have that as well as
(9) refresher courses and children with special
(10) needs.

(11) Q You have been doing this training
(12) over the course of your career starting before
(13) you joined the Bronx Special Units up until the
(14) point where you are now Queens Special Victims;
(15) is that correct?

(16) A I started when I entered into Bronx
(17) Special Victims.

(18) Q You did all that training and now
(19) you are doing refresher courses?

(20) A Correct.

(21) Q When you go from Bronx Special
(22) Victims to Queens Child Abuse, is it largely the
(23) same skills and training that you were using
(24) prior?

(25) A Correct.

[Page 15]
November 2, 2022

(1) **DETECTIVE DANIELLE FEBUS** 15

(2) Q Do you work in uniform or plain

(3) clothes?

(4) A Business attire. Plain clothes.

(5) Q Do you have a steady partner or

(6) team?

(7) A A team.

(8) Q How many individuals in that team?

(9) A At this current time?

(10) Q Yes.

(11) A Four.

(12) Q Okay.

(13) A Well five. One is out sick.

(14) Q Do you have a steady supervisor?

(15) A Yes.

(16) Q Who is that?

(17) A I have three sergeants and one

(18) lieutenant in my office alone.

(19) Q I will come back to that. Your

(20) steady supervisor are not the ones that you would

(21) have had while at Queens Child Abuse; is that

(22) correct?

(23) A No.

(24) Q Without giving me any address, did

(25) you grow up in the five boroughs?

(1) DETECTIVE DANIELLE FEBUS 16

(2) A Yes.

(3) Q How long have you resided in the
(4) five boroughs?

(5) A I moved out of the five boroughs
(6) maybe five years ago without giving my age.

(7) Q It is okay. You don't have to. You
(8) were born in the five boroughs?

(9) A Yes, born and raised.

(10) Q Without telling me where you went to
(11) school, what is your highest level of education?

(12) A I have an Associates degree and then
(13) I have -- I just have an Associates degree.
(14) Lefrek.

(15) Q Now I am going to have questions
(16) really about your time at Queens Child Abuse
(17) Squad, which is the Queens Child Abuse Squad is a
(18) separate squad from the Queens Special Victims
(19) Squad; is that correct?

(20) A Correct.

(21) Q What are the difference between
(22) those two units or squads?

(23) A So, the Child Abuse Squad handles
(24) victims of twelve and under for sexual abuse.
(25) Twelve and under for physical abuse. The adult

[Page 17]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 17

(2) squad, which is Special Victims Squad handles
(3) thirteen and above for sex crimes.

(4) Q When you were a member of the Queens
(5) Child Abuse Squad, were you work more closely
(6) with employees like ACS?

(7) A Yes.

(8) Q Were you working with employees from
(9) ACS on a daily basis?

(10) A It depended on the relationship of
(11) the child and the subject.

(12) Q Okay. As a ACS social worker for a
(13) case for you to investigate?

(14) MR. FRANK: Objection. You can
(15) answer.

(16) A We have a coordinator that sends the
(17) case to ACS as well as the NYPD, so we have a
(18) joint investigation.

(19) Q I see. Does the coordinator receive
(20) complaints filed through the NYPD and complaints
(21) from filed to ACS, do you have that?

(22) A No. So, a person filed a complaint
(23) with the NYPD by calling 911, which that police
(24) officer that receives the case can notify State
(25) Central Registry as well as reports can be called

[Page 18]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 18

(2) into the States Registry by mandated reporters.
(3) Anyone can call it in, but mandated reporters
(4) especially.

(5) Q What is a mandated reporter?

(6) A That would be like a doctor, a nurse
(7) or teacher to report any type of abuse to
(8) children under the age of seventeen.

(9) Q Okay.

(10) A Lawyers, police officers, detectives
(11) of any rank.

(12) Q I understand where you are coming
(13) from here. There are certain circumstances where
(14) certain people in certain profession who are in
(15) child care of a duty to make a complaint to
(16) anyone about child abuse, do I have that right?

(17) A Correct.

(18) Q So, in different from typical cases
(19) when you have a case in Queens Child Abuse, do
(20) you have to go investigation and speak to the
(21) child and that child is the complaining witness
(22) in a sense?

(23) A Yes.

(24) Q Is that using your FETI training?

(25) A Yes.

[Page 19]
November 2, 2022

(1) **DETECTIVE DANIELLE FEBUS** 19

(2) Q After using your non-suggestive
(3) questioning you formulate probable cause for
(4) whatever criminal offense against an alleged
(5) suspect, is that about right?

(6) A Yes.

(7) Q In separate cases, have you had to
(8) testify in a grand jury to obtain an indictment
(9) of somebody suspected of child abuse?

(10) A I have.

(11) Q During those grand jury proceedings,
(12) is the child testifying?

(13) A In a grand jury proceeding could a
(14) child testify?

(15) Q Yes.

(16) A Yes, a child could testify if the
(17) ADA wants them to.

(18) Q This is a hard question. Can you
(19) approximate how many arrests you have made based
(20) within that squad that is related to child abuse
(21) or negligence?

(22) A How many arrests I made in ten
(23) years?

(24) Q Yes.

(25) A I would say at least maybe

[Page 20]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 20
(2) definitely over one hundred or maybe more.
(3) Q Over one hundred?
(4) A Yes.
(5) Q I know you reviewed your case notes,
(6) but do you yourself have an independent
(7) recollection of the date of incident in this case
(8) January 31st of 2018?
(9) A Yes.
(10) Q So on that day you came into contact
(11) with my client, Amy Zeng?
(12) A Her first name is Amy?
(13) Q I think it is Xiamin. Her nickname
(14) is Amy. At the time she was going by Xiamin?
(15) A Yes.
(16) Q Did you come into contact with her
(17) on that day?
(18) A Yes.
(19) Q Before the date of the incident,
(20) were you familiar with my client or did you meet
(21) my client?
(22) A No.
(23) Q So, the day that you first met her
(24) was January 31st of 2018?
(25) A Yes.

[Page 21]
November 2, 2022

(1) **DETECTIVE DANIELLE FEBUS** 21

(2) Q So on January 31st, did you receive

(3) a complaint about Amy Zeng, or something else?

(4) A **Something else.**

(5) Q What is that something else?

(6) A **I had a complaint in regards to her**

(7) **son. That is why I came in contact with Mrs.**

(8) **Zeng.**

(9) Q Was that a complaint from a mandated

(10) reporter?

(11) A **Correct, yes.**

(12) Q Was the mandated reporter a teacher?

(13) A **No.**

(14) Q Who was the mandated reporter?

(15) A **A court ordered investigation.**

(16) Q There was a court ordered

(17) investigation initiated on January 31st?

(18) A **Not initiated on January 31st, but**

(19) **initiated I believe -- I don't recall the exact**

(20) **date, but about a week prior.**

(21) Q There was like an ongoing

(22) investigation, and then you just kind --you just

(23) got assigned to it on the 31st?

(24) A **No, I was previously assigned to it**

(25) **in the court ordered investigation in regards to**

November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 22

(2) her son complaining.

(3) Q Who did her son make a complaint to?

(4) A While in family court a complaint
(5) was made by Mr. Zeng saying that the biological
(6) father of their son assaulted and choked him out
(7) in family court.

(8) Q So the complaint was against her
(9) husband or ex-husband?

(10) A Correct.

(11) Q When the investigation was started,
(12) did you try to speak to the husband first?

(13) A No, I tried to spoke to Mrs. Zeng
(14) and child first.

(15) Q So that you can do your interview;
(16) is that correct?

(17) A Right, start my investigation.

(18) Q I am starting to understand.
(19) Typically for you that is where you start any
(20) investigations with the FETI interview?

(21) A Yes, the majority of the
(22) investigation you warranted to start with the
(23) investigation who started the investigation as
(24) well as all parties involved. Usually we want to
(25) get the interview with the victim to see if there

(1) DETECTIVE DANIELLE FEBUS 23

(2) is any abuse whether physical or sexual.

(3) Q Which make sense. Before you want
(4) to verify the complaint before you go and speak
(5) to the accuser suspected?

(6) A Right.

(7) Q So the week prior you attempted to
(8) go and speak with Mrs. Zeng?

(9) A Yes.

(10) Q Were those attempt truthful?

(11) A No.

(12) Q Do you remember how many times that
(13) week you went to go speak to her?

(14) A I know I went to her home in
(15) Manhattan, and then I went to the child's school
(16) also in Manhattan.

(17) Q You went to her home at least once?

(18) A Yes.

(19) Q Did you try to call her, as well?

(20) A Yes.

(21) Q In the week prior to the date of the
(22) incident, did you get on the phone with her?

(23) A I do not recall.

(24) Q On the date of the incident you were
(25) continuing to follow-up on an investigation; is

[Page 24]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 24

(2) that correct?

(3) A Yes.

(4) Q What was the first thing that you
(5) did on the date of the incident to continue the
(6) investigation?

(7) A The date of the incident being
(8) January 31st?

(9) Q Yes.

(10) A The child went to school. We went
(11) to the school to speak with the child.

(12) Q I can understand why this would be a
(13) typical practice as well and sometimes if
(14) somebody is abused the abuser won't let you to
(15) investigate it so you have to come at an optimal
(16) time like at school, do I have that right?

(17) A Right, but the allegations were
(18) against the father and not her.

(19) Q Just the practice in general like
(20) going to speak to the child because your
(21) department were not fruitful, so you went to
(22) school and spoke to the principle or dean?

(23) A Correct.

(24) Q Then you said I am here for an
(25) investigator of this specific unit I need to see

November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 25
(2) if there has been any abuse. Do you recall the
(3) date that Miss Zeng complained about when her son
(4) was abused by her ex?

(5) A I don't recall the date. I have to
(6) look at my notes to see the date that I received
(7) the case.

(8) Q Could it be more than a few months
(9) before she made the complaint or around the time
(10) that she made the complaint?

(11) A I don't know. When she made the
(12) complaint to family court?

(13) Q Yes.

(14) A I just know the date that I received
(15) the case, which I don't have that paperwork in my
(16) presence.

(17) Q No worries. On January 31st you
(18) went to the son's school in Manhattan; is that
(19) correct?

(20) A Yes.

(21) Q You physically saw and met with the
(22) son of Miss Zeng; is that correct?

(23) A Yes.

(24) Q Did you observe any signs of abuse
(25) or neglect?

[Page 26]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 26

(2) A We don't do interviews in school,
(3) but report him to the Child Advocacy Center,
(4) which is where I work. We interviewed him there.
(5) He had no signs of abuse there.

(6) Q You took him back, because that is
(7) part of practice and you cannot interview a child
(8) in school. Where did you bring him to?

(9) A The Child Advocacy Center.

(10) Q Do you know the address of that
(11) place?

(12) A Yes, my old office address.

(13) Q What is the address?

(14) A 112-25 Queens Boulevard, Forest
(15) Hills, New York 11375. The Advocacy Center is on
(16) the first floor.

(17) Q When you first met with the child
(18) you explained the situation, and I am sure you
(19) have training to make sure that the kids don't
(20) have an overemotional reaction and they feel
(21) safe?

(22) A Yes.

(23) Q You bring them back to CAC. I don't
(24) know if you answered this, did you observe any
(25) signs of abuse or neglect?

[Page 27]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 27

(2) A No.

(3) Q Through your questioning, did you

(4) discern whether or not the son was abused or

(5) neglected?

(6) A No.

(7) Q Did you see any type of hand marks

(8) or anything like that on his neck?

(9) A No.

(10) Q So, at that time your investigation

(11) is not completed, because you still have to talk

(12) to Miss Zeng, who reported the complaint?

(13) A Yes.

(14) Q You made a phone call to her to come

(15) into the office to finish your investigation; is

(16) that correct?

(17) A Correct.

(18) Q Do you remember the substance of

(19) that phone conversation?

(20) A I just advised her that her child

(21) was transported to our office. I provided her

(22) with the address for her to come to our office.

(23) Q Do you remember her telling you to

(24) drop him off at home?

(25) A I don't remember that.

[Page 28]
November 2, 2022

(1) **DETECTIVE DANIELLE FEBUS** 28

(2) Q Even if she asked you to bring him

(3) to her other house, would that be typical

(4) practice?

(5) A Not by the NYPD. Maybe by ACS.

(6) Q So at some point Miss Zeng does show

(7) up at CAC?

(8) A Yes, she shows up to the Child Abuse

(9) Squad.

(10) Q Do you remember how long it took for

(11) her after your phone conversation to show up to

(12) CAC?

(13) A No, I don't remember.

(14) Q Was it less than an hour?

(15) A I don't remember.

(16) Q When she arrived, what happened

(17) next?

(18) A She when she arrived I was actually

(19) upstairs at the Advocacy Center. Somebody else

(20) let her in to the room that we called it a kiddy

(21) room with toys, television, and movies for kids

(22) that we have waiting in our office to sit there

(23) and play until I was done upstairs, and then I

(24) came downstairs to the basement.

(25) Q When you were upstairs, were you

(1) DETECTIVE DANIELLE FEBUS 29

(2) still talking to her son?

(3) A I don't remember.

(4) Q After a certain point you came
(5) downstairs and you spoke to Miss Zeng?

(6) A Correct.

(7) Q What was the substance of that
(8) conversation?

(9) A Basically the allegation that was
(10) made for her son against the father.

(11) Q She answered your questions about
(12) that?

(13) A They were a little vague from what I
(14) remember.

(15) Q What did she end up telling you
(16) about the incident at Family Court?

(17) A I don't remember.

(18) Q Okay.

(19) A It was very vague. She was not
(20) really answering questions about her son. It was
(21) more about the problems between her and her
(22) husband.

(23) Q She spent a lot of time talking
(24) about her ex-husband?

(25) A Yes, that he is not a good man.

(1) **DETECTIVE DANIELLE FEBUS** 30

(2) Q At any point, did she confirm or
(3) reassert that her ex-husband choked her son?

(4) A She did say that he choked him in
(5) Family Court in front of the judge, the lawyers
(6) and everybody.

(7) Q Okay.

(8) A The court officers.

(9) Q When you spoke to the son using your
(10) interviewing skills, did he confirm that he was
(11) choked or strangled?

(12) A No.

(13) Q When you asked him about it he just
(14) said that it didn't happen?

(15) A They are open ended questions. We
(16) try to find out if anybody is abusing him, and
(17) not a particular person. From what he told, and
(18) I was the interviewer, what he told me is that no
(19) one has abused him whether at school, home or
(20) anywhere.

(21) Q Okay. I see. When you were
(22) initially conducting the investigation a week
(23) prior to the date of the incident, were you
(24) working with a social worker from ACS named Diego
(25) Amdrinsan, or are you familiar with that name or

(1) DETECTIVE DANIELLE FEBUS 31

(2) that person?

(3) A Yes, not until you said it. Yes, I
(4) worked with a man named Diego, if that is his
(5) last name.

(6) Q It is a long one. Prior to the
(7) incident, have you worked on cases with him
(8) before?

(9) A I don't remember.

(10) Q In general, you have worked on
(11) investigations with him?

(12) A It is possible.

(13) Q When you are conducting the
(14) investigation, what role does a ACS social worker
(15) play?

(16) A So, I am here --NYPD is here for a
(17) criminal investigation. ACS is there for more of
(18) a household investigation to make sure the child
(19) has adequate food and shelter in their home as
(20) well as not being physically or sexually abused
(21) by anybody in the household.

(22) Q So you guys have to conduct an
(23) investigation?

(24) A Correct, we work together.

(25) Q You are suspecting criminality or

(1) DETECTIVE DANIELLE FEBUS 32

(2) possible criminality, and Diego is checking to
(3) make sure the household is in order so that the
(4) kid is taken care of appropriately?

(5) A As well to see any criminality so he
(6) can file a case in Criminal Court.

(7) Q This court ordered investigation, do
(8) you know if Diego was assigned to it?

(9) A Yes.

(10) Q When you first went to speak with
(11) Mrs. Zeng a week prior, did you go with Diego?

(12) A I don't remember. I don't remember
(13) if he went before me, with me or after me. I
(14) know that we both went.

(15) Q At the conclusion of your
(16) conversation with Miss Zeng, was there any
(17) evidence to support criminality or child abuse?

(18) A Against her?

(19) Q For her client, towards her
(20) ex-husband at the end of your conversation with
(21) her, is there any evidence that you gained that
(22) her ex-husband did assault her child?

(23) A No.

(24) Q Your interview with Mrs. Zeng, is
(25) just a general interview and you are not using

(1) DETECTIVE DANIELLE FEBUS 33
(2) the same skills that you would use with her son?
(3) A No, just a general interview.
(4) Q How long was that interview?
(5) A Maybe ten or fifteen minutes.
(6) Q After that ten or fifteen minute
(7) conversation, what happened next?
(8) A In regards to what?
(9) Q Did she go home and take her kid
(10) with her?
(11) A No.
(12) Q She didn't go home?
(13) A No, there was another outcome.
(14) Q What was the other outcome?
(15) A She was transported to the 75th
(16) Squad.
(17) Q She was transported to the 75th
(18) Precinct?
(19) A Yes.
(20) Q Was that at the conclusion of your
(21) fifteen minute conversation, or did you finish
(22) your questions and sometime passed by and then
(23) she went to the 75th Precinct?
(24) A Sometime passed by.
(25) Q Do you know how it came about that

[Page 34]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 34
(2) she went to the 75th Precinct?
(3) A Yes.
(4) Q How did it come about?
(5) A So, we do computer checks for all
(6) parties that come to our office, and even the
(7) victims and children themselves. When the mother
(8) was ran by me it showed that she had an
(9) investigation active. An active investigation by
(10) somebody.
(11) Q You had to transfer her based on the
(12) card by the 75th Precinct?
(13) A Correct.
(14) Q Did you transport her yourself?
(15) A I transported her myself.
(16) Q Did you cuff her at CAC?
(17) A Yes.
(18) Q When you cuffed her, did you explain
(19) what was going on?
(20) A Yes.
(21) Q Did she seem to understand what was
(22) going on?
(23) A She did, because she knew where we
(24) were when we entered into the Brooklyn
(25) neighborhood. She knew that was going on. She

(1) DETECTIVE DANIELLE FEBUS 35

(2) said they were false allegations between her and
(3) her husband.

(4) Q So after you took her to the
(5) precinct, what happened with her son?

(6) A So, the Child Advocacy Center and
(7) the Child Abuse Squad are in the same building
(8) but different floors. The Child Abuse Squad is
(9) in the basement and the Advocacy Center is up on
(10) the third floor. The child remains up there.
(11) There are social workers up there and ACS is up
(12) there. None of this transpires in front of her
(13) child. The CAC has a huge room for children.

(14) Q He was pretty much taken care of and
(15) fed?

(16) A Absolutely.

(17) Q Did anybody explain to him what was
(18) happening with his mother?

(19) A No.

(20) Q Okay.

(21) A I believe he was like five or
(22) six-years-old at the time.

(23) Q When you transported Mrs. Zeng to
(24) the 75th Precinct, did you drop her off or
(25) participate in a further investigation or

(1) DETECTIVE DANIELLE FEBUS 36

(2) something else?

(3) A No, we just dropped her off
(4) upstairs.

(5) Q Did you hand her off to any specific
(6) officer or put her in a holding cell?

(7) A We brought her upstairs. There were
(8) a few detectives there. We brought her into
(9) their interview room, and I retrieved my
(10) handcuffs.

(11) Q Then you went back to CAC?

(12) A Yes.

(13) Q Up until that point you no longer
(14) are investigating anything relate to Mrs. Zeng,
(15) her complaint, or anything else and that is the
(16) last of your participation?

(17) A With Mrs. Zeng, yes.

(18) Q Do you recall what eventually
(19) happened with her son?

(20) A ACS does that with the children.

(21) Q Do they find like a next of kin, or
(22) something like that?

(23) A It would depend on the situation.
(24) ACS make calls on placement of children.

(25) Q Your conversation with Mrs. Zeng was

(1) DETECTIVE DANIELLE FEBUS 37
(2) in the room of CAC; is that correct?
(3) A No, she was brought to the interview
(4) room.
(5) Q Was the interview room in Queens
(6) Child Abuse or CAC?
(7) A Queens Child Abuse.
(8) Q Were you in the basement?
(9) A Correct.
(10) Q While you were in the basement and
(11) you are speaking with Mrs. Zeng for approximately
(12) fifteen minutes, did she mention anything about a
(13) lawsuit against ACS?
(14) A No.
(15) MR. FRANK: Objection. You can
(16) answer.
(17) A No.
(18) Q At the time when you were
(19) questioning Mrs. Zeng, were you aware of any
(20) lawsuit that she had against ACS?
(21) A No.
(22) MR. RAQUIB: Can we take a
(23) five-minute break.
(24) (Whereupon, a five-minute break was
(25) taken.)

(1) **DETECTIVE DANIELLE FEBUS** 38

(2) Q I have just a few more questions.
(3) Can you approximate for me from the time that you
(4) cuffed Mrs. Zeng from the time you transported
(5) her and the time that you dropped her off at the
(6) 75th Precinct, can you approximate for me how
(7) much time that was?

(8) A Maybe about twenty or twenty-five
(9) minutes. As soon as I cuffed her we were walking
(10) outside.

(11) Q Can you approximate for me the
(12) building that includes CAC and Queens Child Abuse
(13) Squad the time that Mrs. Zeng was at that
(14) building, how long she was there for from the
(15) time she entered until the time you took her out?

(16) A I don't know what time she entered.
(17) I was upstairs.

(18) Q Okay. From when you first spoke to
(19) her until when you took her to the 75th Precinct,
(20) can you approximate that time?

(21) A Maybe about a half hour or
(22) forty-five minutes.

(23) Q The system check that you ran to
(24) finds the I Card for Mrs. Zeng, do you recall
(25) when you did that or if somebody else did that?

[Page 39]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 39

(2) A I don't remember. I did it.

(3) Q I am sorry. That was a terrible
(4) compound question.

(5) A I performed the check.

(6) Q Do you recall when you did it, was
(7) it before or after you spoke to her?

(8) A That I don't remember.

(9) Q Do you recall the contents of the I
(10) Card?

(11) A There is minimal information on a
(12) card. It just tells you that she was wanted.
(13) There is an activation card, and who generated it
(14) with her pedigree information and who generated
(15) it.

(16) Q There was an officer assigned to the
(17) I Card from the 75th Precinct?

(18) A Correct.

(19) Q Do you recall who that officer was?

(20) A No, I do not.

(21) Q Did the I Card also include
(22) information on a complaining witness?

(23) A No, it does not have a person's
(24) information. It could have what the complaint
(25) was filed for.

(1) DETECTIVE DANIELLE FEBUS 40

(2) Q I know you said very minimal
(3) information on it. Do you recall what the
(4) complaint was filed for?

(5) A There was a complaint. My
(6) headphones went out. Can you hear me?

(7) Q Yes, we can hear you. You are much
(8) clearer now.

(9) A As I recall in the middle of the
(10) thing -- I can barely hear you guys. It is very
(11) low.

(12) MR. RAQUIB: Read the question back.

(13)
(14) (The referred to was read back by
(15) the Reporter.)

(16) A I don't recall what the complaint
(17) was filed for. I just remember that it was the
(18) husband. The child's father against Miss Zeng.

(19) Q During your conversation with her
(20) during that fifteen minutes when you were
(21) interviewing her for her complaint against her
(22) ex-husband, did she mention that he had a
(23) complaint against her?

(24) A No.

(25) MR. FRANK: We cannot hear you.

[Page 41]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 41
(2) Q After the date of the incident, did
(3) you become aware of her lawsuit against ACS?
(4) A No.
(5) Q During the course of this
(6) deposition, is this the first time that you heard
(7) about her lawsuit against ACS?
(8) A Yes.
(9) Q All right.
(10) MR. RAQUIB: I think the Defendant
(11) said yes. Off the record.
(12) (Whereupon, a discussion was held
(13) off the record.)
(14) MR. FRANK: Read back the last
(15) question and answer, please.
(16)
(17) (The referred to was read back by
(18) the Reporter.)
(19) Q When Miss Zeng was in your presence,
(20) you didn't observe her commit any type of
(21) criminal offense; is that correct?
(22) A No.
(23) Q Your cuffing of her of an arrest is
(24) based purely on the I Card as a result of the
(25) system check?

(1) DETECTIVE DANIELLE FEBUS 42

(2) A Correct.

(3) MR. FRANK: Objection. You can
(4) answer.

(5) A Yes.

(6) Q Do you recall what time in the day
(7) you dropped her off at the 75th Precinct?

(8) A It was early evening. It was early
(9) evening.

(10) Q Like a bit after the sun went down?

(11) A Correct, it was wintertime. The sun
(12) went down pretty early.

(13) Q When Miss Zeng was at the building
(14) with CAC and the Queens Child Abuse Squad, do you
(15) know if any other detectives or any ACA workers
(16) interviewed her?

(17) A ACS spoke with her when I spoke with
(18) her.

(19) Q Do you recall which ACS worker that
(20) was?

(21) A Diego.

(22) Q So I think you testified earlier
(23) that after your conversation with her there was
(24) really nothing to supply or give you probable
(25) cause to follow-up on her complaint; is that

[Page 43]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 43
(2) right?
(3) A Yes.
(4) Q After both your conversations with
(5) Miss Zeng the conversation that you had in the
(6) room, did Diego initiating some sort of household
(7) investigation, or did he stop the complaint
(8) there?
(9) MR. FRANK: Objection. You can
(10) answer.
(11) A So, the ACA worker has to get
(12) information in regards to, you know, pediatrician
(13) information and they do a whole questionnaire in
(14) regards to the child assessment that they have a
(15) protocol to do.
(16) Q Do you recall what the result of
(17) that assessment was?
(18) A No.
(19) Q So an assessment it is pretty much
(20) just questions about the care of the son; is that
(21) correct?
(22) A Yes.
(23) Q He also did that in the
(24) fifteen-minute span that you were questioning her
(25) about her complaint?

[Page 44]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 44

(2) A No.

(3) Q So, there were certain times where

(4) he was in the room and you were not in there?

(5) A Correct.

(6) Q Do you recall when your tour ended

(7) on the date of the incident on January 31st of

(8) 2018?

(9) A I don't remember what time. I know

(10) I did a day tour that day. I don't remember what

(11) time I left work.

(12) Q Did you get any overtime?

(13) A Yes.

(14) Q Do you recall how many hours of

(15) overtime you got?

(16) A No, I would have to refresh my

(17) memory with my memo book.

(18) Q After you dropped off Amy Zeng at

(19) the 75th Precinct, did you have to go back to

(20) work and finish other stuff or did you end your

(21) tour after that?

(22) A I don't remember.

(23) Q To clarify, when you went to the

(24) 75th Precinct you just let the detectives know

(25) that you were bringing her there because of an I

(1) DETECTIVE DANIELLE FEBUS 45
(2) Card, you retrieved your cuffs and then you left?
(3) A Correct.
(4) Q Okay.
(5) A I apologize. I did talk with a
(6) couple of detectives that I knew from when we
(7) were cops together. I am not going to say that I
(8) ran out of the door. It was not pertaining to
(9) Mrs. Zeng, but pertaining to just knowing people.
(10) Q I understand. You did your job.
(11) Here is the I Card, you drop her off, hi and
(12) hello, and then you left?
(13) A Right, then I left pertaining to
(14) her. I stood there and was talking, but not
(15) pertaining to Mrs. Zeng but so many years you
(16) know people from your pass.
(17) Q Understood. No worries. Did you
(18) receive any CCRB complaints against you
(19) concerning this incident?
(20) A Not that I am aware of.
(21) Q What about an IEB investigation?
(22) A Not that I am aware of.
(23) Q Have you ever been a Defendant in a
(24) lawsuit where the allegations were misconduct
(25) aside from this one?

(1) DETECTIVE DANIELLE FEBUS 46

(2) A No.

(3) MR. RAQUIB: I am just going to
(4) review my notes. I make a formal demand in
(5) writing for Detective Febus' case notes unless we
(6) already have them. I will leave the deposition
(7) open.

(8) MR. FRANK: We will take that under
(9) advisement. Please put that in writing. I have a
(10) few follow-up questions.

(11) EXAMINATION BY MR. FRANK:

(12) Q Detective Febus, much earlier in the
(13) deposition you had said that Miss Zeng's son
(14) finally went to school, I believe. What did you
(15) mean by that if you can explain a bit more?

(16) A Yes, he was not in attendance at
(17) school for a duration of more than a week.

(18) Q That would have been more than a
(19) week prior to January 31st of 2018?

(20) A Yes, prior to January 31st.

(21) Q Did you find out at any point why he
(22) was not in attendance?

(23) A No.

(24) Q During your interactions with Miss
(25) Zeng at the CAC, did she make any complaints

[Page 47]
November 2, 2022

(1) DETECTIVE DANIELLE FEBUS 47
(2) about handcuffing?
(3) **A Handcuffing?**
(4) **Q** Yes. Did she make any complaint at
(5) all about the handcuffs being tight or other
(6) complaints about her arrest?
(7) **A No.**
(8) **Q** Did she ask for medical treatment at
(9) any point?
(10) **A No.**
(11) **Q** Did she ask to see her lawyer?
(12) **A No.**
(13) **MR. FRANK: Thank you. That is all**
(14) **that I have.**
(15) **EXAMINATION BY MR. RAQUIB:**
(16) **Q** I have general follow-up about the
(17) other conversation with Mrs. Zeng, did you find
(18) her to be to be an effective communicator?
(19) **A What do you mean? My opinion?**
(20) **Q** For example, was is she speaking
(21) fluently in English?
(22) **A Yes.**
(23) **Q** You pretty much understood
(24) everything that she was trying to tell you?
(25) **A Yes.**

[Page 48]
November 2, 2022

48

(1)

(2)

MR. RAQUIB: No further questions.

(3)

(4)

MR. FRANK: Thank you. You want to
leave this open?

(5)

(6)

(7)

MR. RAQUIB: Yes, please. We will
leave it open and I will make a formal demand in
writing for the case notes.

(8)

(9)

(Whereupon, the proceedings were
concluded at 12:30 p.m.)

(10)

(11)

(12)

DETECTIVE DANIELLE FEBUS

(13)

(14)

(15)

(16)

Subscribed and sworn to
before me this _____ day
of _____, 2022.

(17)

(18)

(19)

NOTARY PUBLIC

(20)

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[Page 49]
November 2, 2022

49

I N D E X

WITNESS	EXAMINATION BY	PAGE
DETECTIVE DANIELLE FEBUS	MR. RAQUIB	5, 47
	MR. FRANK	46

[Page 50]
November 2, 2022

50

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EXHIBIT INDEX

NO:

DESCRIPTION:

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NONE

[Page 51]
November 2, 2022

51

CERTIFICATION

I, KAREN MCCONNELL, hereby certify
that the within was held before me on the 2nd
day of November, 2022.

That the testimony was taken
stenographically by myself.

That the within transcript is a true
and accurate record.

That I am not connected by blood or
marriage with any of the parties. I am not
interested directly or indirectly in the matter in
controversy.

IN WITNESS WHEREOF, I have hereunto
set my hand this 10th day of November, 2022.



Karen McConnell
KAREN MCCONNELL